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## 2005 Schedule of Board Meetings

January 20-21  
Board Meeting/Hearings and  
Conferences

March 10-11  
Hearings and Conferences

May 19-20  
Board Meeting/Hearings and  
Conferences

July 21-22  
Hearings and Conferences

September 22-23  
Board Meeting/Hearings and  
Conferences

November 17-18  
Hearings and Conferences

Unless otherwise indicated, all meetings are held in Nashville, Tennessee, in the Davy Crockett Tower, 500 James Robertson Parkway. Please contact the Board office at 615-741-3221 or 800-256-5758 to verify times and locations, as the meeting schedule is subject to change.

## RECORD DRAWINGS CLARIFICATION

In the Spring/Summer 2004 issue of Tennessee Design Lines, an article was included on "record drawings". This article generated a number of questions regarding the issue of record drawings and what the Board's intent was with the article.

Because of questions the Board office receives on a regular basis and due to complaints that have been filed with the Board in the past regarding issues surrounding record drawings, the Board felt it might be helpful to include an article on this issue in the Board's newsletter. Building officials and other professionals who are not registrants often use the term "as-built" rather than "record" drawings, although the intention behind the drawings is generally the same—to document how an existing structure, building site, or other development project was built. The intent of the article was not referring to contractor "mark-up drawings" or directing that the design professional should seal these drawings, nor that record drawings be prepared on every project. Rather, it was intended to identify those drawings that should be prepared by design professionals in order to provide documentation so an

evaluation of the current conditions can be completed and to provide background information for evaluation of how the project was constructed. In the case of buildings and building sites, this information is useful in determining what is needed to bring the building or building site into compliance with current building, fire, and handicapped codes. Record drawings are considered design documents and should bear the seal, signature and date of signature of the design professional preparing the drawings. The drawings referenced are step one of a documentation/evaluation/correction cycle for buildings or building systems as discussed below.

Building and other governmental officials often require record drawings be prepared and submitted that document and evaluate an existing structure, building site, or other community development project. While there may be a number of instances which require the preparation of record drawings, listed below are two examples of situations where record drawings are generally required:

- Illegally constructed/occupied buildings—building occupancies that

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## THE BOARD'S ENFORCEMENT EFFORTS

In the Spring/Summer 2004 issue we discussed the Board's role in the development of standards for registration and overseeing the registration process for those who wish to practice architecture, engineering, or landscape architecture or want to use the title "registered interior designer" in Tennessee. We could not register individuals desiring to practice these

respective professions without relying on education, experience, and examination standards. These standards or components are often called the "traditional legs of the registration stool," each of which builds on and supports the other components. State registration boards have the task of evaluating the credentials of applicants

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## Enforcement Efforts...cont.

to safeguard life, health, and property and to promote the public welfare of its citizens. Our job, however, does not stop there.

There is also a fourth “E” that represents enforcement. Without enforcement, we are not fulfilling our public protection responsibility. All four “E’s” are critical components of the registration act and process. Tennessee Code Annotated §62-2-308 authorizes the Board to refuse to issue or renew, and revoke or suspend the certificate of any registrant found guilty: 1) of any fraud or deceit in obtaining a certificate of registration; 2) of gross negligence, incompetency, or misconduct in the practice of architecture, engineering, or landscape architecture or in the use of the title “registered interior designer”; 3) of failure to obtain, keep and utilize the registrant's seal as provided; 4) by a court of competent jurisdiction of breach of contract for professional services; 5) of any violation of the rules adopted by the Board; 6) of having his or her right to practice architecture, engineering, landscape architecture or use the title “registered interior designer” suspended or revoked by another state or national registration board. In addition to or in lieu of revocation or suspension, the Board is authorized to impose other discipline (i.e., probation, practice restrictions, and reprimand) and civil penalties on registrants violating the above grounds for discipline.

The Board generally averages 100 enforcement-related cases per fiscal year; these complaints are generally received from other registrants, codes enforcement officials, and the public. The most common complaints involve 1) the unlicensed practice of architecture, engineering, or landscape architecture by non-registrants and registrants practicing on inactive or expired registration, and 2) various violations of the Rules of Professional Conduct. The Rules of Professional Conduct are binding on all individuals registered with the Board, and non-registrants are subject to the civil penalty provisions.

Unlicensed practice has generally involved the following situations:

- Buildings and building sites, which require plans and specifications prepared by design professionals, have no design professional involved in the process. This is true for new construction as well as renovation of existing structures and building sites.
- Individuals registered in other jurisdictions soliciting work and preparing plans and specifications for submittal to codes enforcement officials without being registered in Tennessee.
- Registrants practicing on inactive status, or former registrants practicing without being currently registered.

The most common violations of the Rules of Professional Conduct by individual registrants generally involve the following issues:

- Registrants practicing outside their areas of competency, and affixing their seal, signature, and date of signature to these plans and specifications. Examples include: incomplete design and a single registrant sealing multiple phases or all phases of the design.
- Registrants affixing their seals, signatures, and dates of signature to plans and specifications that were not prepared by them or under their responsible charge (plan stamping).
- General misconduct—felony convictions; having their registration suspended, revoked, or voluntarily surrendered in other jurisdictions; furnishing limited services in such a manner as to enable unregistered persons to evade federal, state, and local building laws and regulations including building permit requirements and the registration requirements of Tennessee Code Annotated Title 62, Chapter 2; and taking over, reviewing, revising, or signing and sealing drawings or revisions thereof when such plans are begun by persons not properly registered and qualified.

As it relates to firms, the most common complaints received generally involve issues surrounding the offering of services—misleading marketing materials, not having full time registrants in responsible charge of a particular practice the firm is offering, or not

having Tennessee registrants when services are offered and/or provided.

The other part of the Board's enforcement efforts relates to enforcement of the title acts—use of the title “architect,” “engineer,” “landscape architect” or an appellation of these titles which compounds, modifies or qualifies the words “architecture,” “engineering,” or “landscape architecture,” or which gives or is designed to give the impression that the person using same is an architect, engineer, or landscape architect. Use of these respective titles in verbal claims, signs, advertisements, letterhead, cards, or in any other way can be construed to mean that the person is practicing or offering to practice architecture, engineering, or landscape architecture. Similarly, the use of the title “registered interior designer” suggests that the individual has met the requirements for registration and holds registration with the Tennessee Board to use this title.

During fiscal year 2004 (July 1, 2003-June 30, 2004), the Board imposed some type of disciplinary action against 78 registrants and non-registrants for failing to meet the statutory requirements, which include recognizing the primary obligation to protect the health, safety and welfare of the public in the performance of their professional duties. The Board utilizes informal conferences in matters where there appears to be little or no likelihood that serious disciplinary action (revocation or suspension) will be warranted, but, at the same time, the complaint raises issues, questions, or controversies worthy of the Board's attention. An informal conference usually concludes with the matter being closed and issuance of a letter of caution, warning, instruction, or reprimand. Formal charges/hearings are used for more serious violations where action against a registrant's certificate of registration is warranted or for the imposition of civil penalties against registrants and non-registrants. Tennessee Code Annotated §62-2-108 provides that the Uniform Administrative Procedures Act that is compiled in Tennessee Code Annotated Title 4, Chapter 5, shall govern all matters and procedures respecting the hearing and

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# NCEES Distinguished Service

Award Presented to Theodore E. Wynne, P. E.

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At the 2004 annual meeting of the National Council of Examiners for Engineering and Surveying, Ted Wynne, an Associate Engineer Board Member, was presented with the Distinguished Service Award by the National Council of Examiners for Engineering and Surveying (NCEES). He has served on the Tennessee Board of Architectural and Engineering Examiners for almost 18 years from 1985 to 1996 and from 1997 to the present. Wynne chaired the Board in 1987-1988 and again in 1994-1995. He has also been a member and chair of many Board committees.

Wynne's involvement in NCEES includes membership on numerous standing committees, special committees, and task forces since the late 1980s. Wynne's most recent membership includes the Special Task Force on Fire Protection System Design and Design Build in 2003-2004 and current membership on the mechanical examination committee. He has attended many annual meetings and was a panel participant in the annual

law enforcement program in 1992 and 1993.

In addition to his service to NCEES, Wynne is an active participant in the Tennessee Society of Professional Engineers and the American Council of Engineering Companies-Tennessee, both of which honored him with awards in 1992. That same year, he was named a fellow of the American Consulting Engineers Council. In 1997, the American Council of Engineering Companies-Tennessee recognized Wynne for his service to the engineering community and to the Board of Architectural and Engineering Examiners and presented him with a plaque. Throughout his career, Wynne has taken an active role in matters of enforcement and ethics. He has supported legislation and rules concerning licensure and made significant contributions to the Board's development of a rigorous and comprehensive set of rules of professional conduct. During his first tenure on the Tennessee Board, he was instrumental in getting enabling

legislation passed and overseeing the adoption of rules permitting the Board to impose civil penalties against unlicensed practitioners, and has vocally supported the Board's rigorous enforcement and successful defense of its law restricting use of the title "engineer." During this time, he was also instrumental in assisting the Board in working with the design professions, construction industry and the governmental regulatory community for over three (3) years to win successful passage in the legislature of a sealed plans/practice law that could be uniformly enforced across the state through the local permit process.

Wynne has also served as a board observer on numerous ABET accreditation visits throughout his tenure on the Board. He has also spoken to many student groups about registration and ethics, and has developed and presented programs and workshops about enforcement and disciplinary processes. ■

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## Enforcement Efforts...cont.

judicial review of any "contested case" arising before the Board. The Uniform Procedures Act establishes certain rights to a hearing and the procedures to be followed in instituting and conducting the hearing before the Board may impose sanctions that deprive a person of a property interest (i.e., suspension or revocation of a certificate of registration or assessment of a civil penalty). Nothing in the Uniform Procedures Act prevents a registrant (or other affected person) from waiving the right to a hearing and entering into a voluntary Consent Order or Agreed Order providing for appropriate sanctions. All formal disciplinary actions are

published in the Board's newsletter, Tennessee Design Lines, through departmental press releases, and on national enforcement databases maintained by the national councils to which the Board belongs, to bring infractions of the law and rules to the attention of registrants, the public, building officials, and other state regulatory boards.

All registrants (including firms) are expected to keep abreast of the Board's law and rules. To communicate changes in the law and rules and the Board's expectations of our registrants, the Board publishes and distributes several publications, including copies of the law and rules, *Tennessee Design Lines*, and

the *Reference Manual for Building Officials and Design Professionals*, all of which are available at the Board's website ([www.state.tn.us/commerce/boards/ae](http://www.state.tn.us/commerce/boards/ae)).

Through the publication and distribution of the above publications, our website, and speaking to various professional and technical societies and other groups on issues and activities under the Board's jurisdiction, the Board wants to educate design professionals and others regarding our standards and expectations for the design professional so that the public health, safety, and welfare is protected and the standards of performance are constantly being raised. ■



# ARE

## ROLLING FIVE-YEAR CLOCK

At the 2004 Annual Meeting of the National Council of Architectural Registration Boards (NCARB) a rolling five-year clock for passing the Architectural Registration Examination (ARE) was adopted based on the following resolution being passed:

Resolved, that the second paragraph of Chapter 4 of the Handbook for Interns and Architects be amended to read as follows:

To pass the ARE, an applicant must achieve a passing grade on each division. A passing grade for any division of the ARE shall be valid for five years, after which time the division must be retaken unless all divisions have been passed. NCARB may allow a reasonable extension of such period in circumstances where completion of all divisions is prevented by a medical condition, by active duty in military service, or by other like causes.

The transitional rules are as follows:  
(1) For applicants who have passed

all divisions of the ARE by January 1, 2006, regardless of the time taken, such applicants will have passed the ARE.

- (2) For applicants who have passed one or more but not all divisions of the ARE by January 1, 2006, such applicants will have five years to pass all remaining divisions. A passing grade for any remaining division shall be valid for five years after which time the division must be retaken if the remaining divisions have not been passed. The five-year period shall commence after January 1, 2006 on the date when the first passed division is administered.
- (3) For applicants who have passed no divisions of the ARE by January 1, 2006, such applicants shall be governed by the above five-year requirement. The five-year period shall commence on the date when the first passed division is administered.

At present, there is no NCARB time limit on passing all divisions of the

ARE, and some individuals have taken many years to pass all divisions. Because many states (including Tennessee) have their own form of "rolling clock," in response to a charge, the Committee on Procedures and Documents recommended that passing grades for any division of the ARE remain valid for five years. This means that an applicant not passing all divisions within five years of passing the first division would have to retake the first division because the first division would no longer be valid. Transition rules were proposed to treat equitably those who have already passed one or more divisions of the ARE. January 1, 2006 was proposed as the effective date to allow for orderly implementation. Five years was seen to be both reasonable and the most customary time chosen by states with individual rolling clocks. The Procedures and Documents Committee believes this change will address several valid concerns as the practice of architecture changes over time, as does the examination's content, format, and method of administration. Requiring that all divisions be passed within a reasonable period will better assure that the ARE remains a valid registration examination. ■

## IMPORTANT NCIDQ EXAM INFORMATION

The National Council for Interior Design Qualification (NCIDQ) Board of Directors has announced that the education and experience requirements for candidacy for the NCIDQ exam have been modified as follows: All experience prior to graduation is limited as indicated below and may serve to satisfy an education requirement for training but may not apply to credit hours for education, effective June 15, 2004.

Graduates with a baccalaureate degree (min.) in programs of no less than 120 semester or 180 quarter credit hours of which 60 semester or 90 quarter hours, respectively, are interior design-related, must have completed 96 semester or 144 quarter credit hours of education

prior to experience for that experience to be applicable to the NCIDQ requirements for exam candidacy. A total of 3,520 hours of experience is required for exam candidacy, with no more than 1,760 hours earned prior to completion of all interior-design related credit hours.

Persons completing programs leading to a certificate, degree or diploma and no less than 60 semester or 90 quarter credit hours in interior design-related coursework must have completed the education program prior to commencement of any experience to be applicable to the NCIDQ requirements for exam candidacy. A total of 5,280 hours of experience is required for exam candidacy.

Full time work employment is defined as not fewer than 35 hours per week. It is recommended that work experience be under the direct supervision of an NCIDQ Certificate holder or a registered / certified / licensed interior designer or architect (an individual recognized by a state or provincial regulatory agency).

Beginning January 1, 2008, all exam candidates will be required to complete their work experience under the direct supervision of an NCIDQ Certificate holder or a registered / certified / licensed interior designer or architect (an individual recognized by a state or provincial regulatory agency). No independent practice time will be accepted. ■

# Disciplinary Action Taken By The Board

## INFORMAL CONFERENCES:

*The Board held informal conferences between July 22, 2004, and November 18, 2004, regarding the following issues:*

**Allegation:** A registered engineer sealed all design phases for a change of occupancy of an existing building. Many code requirements, such as those regarding HVAC tonnage, electrical wiring, plumbing, ventilation, fire protection, parking lot drainage, and the need for an elevator, were not met for the assembly occupancy leaving the contractor to make design decisions. Concern was expressed that plans were released knowing that the occupancy would be increased and the systems were not adequate.

**Decision:** Letter of Caution stating that the engineer may have practiced outside his level of competency; take and pass the Board's law and rules exam.

**Allegation:** A registered architect and registered engineer prepared design plans that were lacking in detail in a number of areas, particularly in the structural design, for an assembly occupancy.

**Decision:** Letter of Caution to both registrants; take and pass the Board's law and rules exam.

**Allegation:** Registered engineers left design decisions to the electrical contractor, and there were several serious errors and lack of detail in the design.

**Decision:** Since no violations or problems were found, the complaint was closed with no further action.

**Allegation:** A non-registrant was engaged in the unlicensed practice of engineering in connection with the preparation of energy audits. An investigation revealed that the work involved evaluating the efficiency of lighting and retrofitting lighting systems. Respondent stated that the firm does not perform energy audits but instead developed a software program to do financial calculations on lighting

renovation projects. Respondent also stated that when design work is required, registered engineers are retained.

**Decision:** Send a cease and desist letter and close upon their assurance not to offer engineering services.

**Allegation:** A registered engineer did not prepare the designs for a fire protection sprinkler system in accordance with the Board's Standard of Care. An investigation revealed that the registrant's seal on the drawings represented approval and not design of the sprinkler system; the drawings had been prepared by the sprinkler system contractor. The respondent's registration was also expired at the time the drawings were prepared.

**Decision:** Complaint closed after respondent assured the Board that he understands the Board's Standard of Care for fire protection sprinkler system design.

## FORMAL ACTIONS:

*Lawrence Tyler Bassett, R.A. # 100989  
Frederick, Maryland*

**VIOLATION:** Misconduct in the practice of architecture—affixing seal and signature, but not date of signature, to plans and specifications in which he lacked competence, and enabled unregistered persons to evade the registration requirements of Tenn. Code Ann. Title 62, Chapter 2. Rules 0120-2-.08, 0120-2-.03, and 0120-2-.07.

**PENALTY:** Letter of Caution; take and pass the Board's law and rules exam; \$7,500 civil penalty.

**FINAL ORDER:** September 21, 2004

*Richard C. Borden, P.E. #12025  
Gulf Shores, Alabama*

**VIOLATION:** Misconduct in the practice of engineering; suspension of registration in another jurisdiction. Tenn. Code Ann. § 62-2-308 (a)(1)(F) and Rule 0120-2-.07(5)(b).

**PENALTY:** Suspension of certificate of registration for 2 years, stayed with 2 year probation; take and pass the Board's law and rules exam.

**FINAL ORDER:** July 22, 2004

*Lawrence R. Chute, Non-registrant  
Plymouth, Michigan*

**VIOLATION:** Unlicensed practice of engineering. Tenn. Code Ann. §§ 62-2-101 and 62-2-105.

**PENALTY:** \$3,000 civil penalty.

**FINAL ORDER:** November 18, 2004

*Donald A. Gardner, R.A. #102169  
Greenville, South Carolina*

**VIOLATION:** Unlicensed practice of architecture prior to obtaining registration. Tenn. Code Ann. §§ 62-2-101 and 62-2-105.

**PENALTY:** \$500 civil penalty; take and pass the Board's law and rules exam.

**FINAL ORDER:** November 18, 2004

*George W. Jensen, P.E. #18493  
Jackson, South Carolina*

**VIOLATION:** Misconduct in the practice of engineering; suspension of registration in another jurisdiction. Tenn. Code Ann. § 62-2-308 (a)(1)(F) and Rule 0120-2-.07(5)(b).

**PENALTY:** Suspension of certificate of registration for 1 year followed by a 2 year probation period; take and pass the Board's law and rules exam.

**FINAL ORDER:** July 22, 2004

*David K. Khoury, P.E. #5932, Expired  
Nashville, Tennessee*

**VIOLATION:** Practiced engineering on expired registration by affixing his expired engineer's seal to home inspection reports and other documents and representing himself to the public

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**DANIEL B. BARGE, JR. &  
JOSEPH B. EMISON, JR.**

The Board was saddened to learn of the passing of Dan Barge, who passed away on Thursday, July 1, 2004, and Joe Emison, who passed away on Saturday, October 9, 2004, and appreciates their long service and many contributions to the engineering profession and the public.

**Dan Barge**

Mr. Barge earned his civil engineering degree from Vanderbilt University in 1943. His desire to become a civil engineer came after watching a survey crew plot the course for one of the first highways through Butler County, Alabama. After graduating from Vanderbilt, he enlisted in the U.S. Army and served in the European theater during World War II. Prior to forming his own firm in 1955 (currently known as Barge Waggoner Sumner and Cannon), he worked for about a decade with the Nashville, Chattanooga, and St. Louis Railway.

During his years running his firm, Mr. Barge worked on a variety of high-profile projects around Tennessee, including the L & C Tower in Nashville and the construction of the Opryland complex. His firm designed part of Interstate 440 and helped create the Harpeth Valley Utility District. Mr. Barge was active in many professional and technical societies and is a former President of the American Society of Civil Engineers. He was named Engineer of the Year by the Tennessee Society of Professional Engineers in 1971 and was honored by the Tennessee Engineering Center in 2002 for promoting the development of the Center.

Mr. Barge was appointed to a four-year term on the Board of Architectural and Engineering Examiners in 1996 by former Governor Don Sundquist. He was granted "Board Member Emeritus" status in late 2000 by the Board in

recognition of his dedicated service to the people of Tennessee.

**Joe Emison**

Mr. Emison was the former chief executive officer of the Pickering Firm in Memphis, Tennessee and a decorated Navy veteran. He retired from the Pickering Firm in 2003 because of illness.

At Pickering, Mr. Emison played key roles in important projects affecting the Memphis skyline, such as The Pyramid, and development of the world runway at Memphis International Airport. Before joining Pickering, Mr. Emison had a 26-year career in the Navy, from which he retired as captain with the Civil Engineer Corps. During his military career, he received three Meritorious Service Medals, a Bronze Star with Combat 'V' and a Combat Action Ribbon for his service in Vietnam. Chief among his military projects was serving as operations officer for construction of a geodesic dome in Antarctica for polar operations.

Mr. Emison graduated in 1960 with a bachelor's degree in civil engineering from the University of Tennessee. He also earned a master's degree from Georgia Tech.

His leadership roles and recognitions as an engineer included being named a Fellow of the Society of American Engineers and Tennessee Engineer of the Year by the Tennessee Society of Professional Engineers.

Mr. Emison was appointed to a four-year term on the Board of Architectural and Engineering Examiners in late 2001 by former Governor Don Sundquist. Mr. Emison resigned from the Board in May 2003 due to health problems, and he was granted "Board Member Emeritus" status in 2003 by the Board in recognition of his dedicated service to the people of Tennessee.

*The Board and Staff wish to extend our sympathies to the families and friends of these individuals who have honored their professions:*

**ARCHITECTS**

Belli, Edo J., #3751

Follis, Mark B., #3512  
Keeva J. Kekst, #16050

**ENGINEERS**

Allender, Bruce E., #15844  
Banks, Joseph E., Jr., #7436  
Behrend, Herbert W., #18820  
Brown, Ira L., Jr., #9041  
Clingenpeel, Floyd J., #108114  
Evans, John C., Jr., #19952  
Hassa, Ralph E., #5950  
Leonard, Larry E., #18234  
Morris, James A., #4152  
Noblit, James D., #8215  
Oakley, Edward G., #10239  
Wells, Eddie H., #11450  
Willard, Charles G., #17061

If you have a name that should be recognized in this section, please contact the Board office. ■

**Disciplinary Action...cont.**

as an engineer. Tenn. Code Ann. §§62-2-101, 62-2-105, and 62-2-306(b).

**PENALTY:** \$1,500 civil penalty.

**FINAL ORDER:** September 21, 2004

**Po Wei (David) Lu, P.E. #23079**  
**Alpharetta, Georgia**

**VIOLATION:** Misconduct in the practice of engineering; felony conviction; suspension of registration in another jurisdiction. Tenn. Code Ann. §§ 62-2-308 (a)(1)(E) and 62-2-308 (a)(1)(F), and Rules 0120-2-.07(5)(a) and 0120-2-.07(5)(b).

**PENALTY:** Revocation of certificate of registration.

**FINAL ORDER:** November 18, 2004

**Tim Morris, Non-registrant**  
**Tazewell, Tennessee**

**VIOLATION:** Unlicensed practice of architecture and engineering. Tenn. Code Ann. §§ 62-2-101 and 62-2-105.

**PENALTY:** \$1,500 civil penalty.

**FINAL ORDER:** November 18, 2004





# Information On Examinations



The Board would appreciate your sharing information about these professional examinations with interns in your office.

## ARCHITECTURE

Future information about the ARE and free practice software are available at the National Council of Architectural Registration Boards' (NCARB's) web site: [www.ncarb.org](http://www.ncarb.org). Be sure to read the article on the ARE rolling five-year clock in this issue.

### Exam Results (6/12/04-12/3/04)

	Total	Pass
Bldg. Planning	31	25
Bldg. Technology	27	22
Constr. Doc. & Svcs	9	9
Gen. Structures	25	20
Lateral Forces	19	15
Mat. & Meth.	12	12
Mech. & Elec.	18	13
Pre-Design	18	13
Site Planning	33	26

## ENGINEERING

Beginning in October 2003, the National Council of Examiners for Engineering and Surveying (NCEES) assumed responsibility for administering and proctoring the engineering examinations in Tennessee. As a result, the Fundamentals of Engineering application deadlines have been adjusted to better accommodate NCEES scheduling deadlines.

### • Fundamentals of Engineering Examination—

#### Application Deadlines:

	Seniors*	Non-seniors**
Spring Exam	January 15	January 1
Fall Exam	September 1	August 1

\*Engineering students with senior status in the engineering curriculum.

\*\*Those who have already been awarded an undergraduate degree in engineering.

The FE exam is currently administered in Chattanooga, Cookeville, Franklin, Knoxville, Martin, and Memphis on:

April 16, 2005  
October 29, 2005

### • Principles and Practice of Engineering Examinations—

The application deadline for new

applicants for the spring Principles and Practice of Engineering (P&P) exam is December 1. The fall deadline is May 15. Exam applicants must have the required years of experience prior to filing the application. New exam applicants must submit all required supporting documentation by January 1 for the spring exam and by June 15 for the fall exam to ensure that their applications are processed prior to the exam-scheduling deadline. The exam will be given in Franklin, Knoxville, and Memphis on:

April 15, 2005  
October 28, 2005

To facilitate scheduling of the P&P exams, retake requests and fees should be received by the board office by February 1 for the spring exam and September 1 for the fall exam. Registrants wishing to take other exam disciplines must submit a written request to the Board with the exam fee by the above deadlines. The examination fee is currently \$130, and the retake fee is \$205. Those wishing to take the Structural II exam must already be registered either by taking the Civil or Structural I exams as the basis for registration and must submit a Structural II application form (available at the Board's website) with the \$475 Structural II exam fee.

#### Study Materials Available from NCEES

The NCEES has study material for the Fundamentals of Engineering, Principles and Practice of Engineering, Structural I and II examinations. Available materials include the FE reference handbook, sample questions and solutions, and practice problems (on CD-ROM). Study materials may be ordered from the NCEES website ([www.ncees.org](http://www.ncees.org)).

#### Changes to Calculator Policy

At its 2004 annual meeting, NCEES voted to revise the examination policy concerning materials permitted in the examination room so that only models of calculators specified by NCEES are allowed. The following models are the

only calculators that will be permitted in the examination room for the April and October 2005 exam administrations: Hewlett Packard—HP 33s and HP 9s; Casio—115 MS and 115 MS Plus; Texas Instruments—TI 30X IIS, TI 30X IIB, and TI 36X. This change is intended to reduce confusion among candidates and proctors. Each year, an NCEES subcommittee on calculators will review and revise the approved calculator list. For more information, please see the Calculator Policy at [www.ncees.org](http://www.ncees.org) or call NCEES at 864-654-6824.

#### Exam Specification Changes

The Structural Design Standards of the Civil Principles and Practice (PE) exam will change with the April 2005 administration. The Transportation Design Standards of the Civil PE exam, the Depth Modules for the Electrical and Computer PE exam, the Industrial PE exam, and the Fundamentals of Engineering (FE) exam will all be under revised specifications effective with the October 2005 administration. All new specifications will be posted on the NCEES website in the coming months. A new Reference Handbook (Seventh Edition) will be available to support the new specifications for the FE exam.

### Exam Results (10/04)

	Total	Pass
FE	343	203
PE	222	108

## LANDSCAPE ARCHITECTURE

The multiple-choice sections of the Landscape Architect Registration Examination (LARE)—Section A: Legal and Administrative Aspects of Practice, Section B: Analytical Aspects of Practice, and Section D: Structural Considerations and Materials and Methods of Construction—are now computerized and are administered separately from the graphic portions of the examination by the Council of Landscape Architectural Registration Boards (CLARB). In order to take the

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## Examinations...cont.

multiple-choice sections of the examination, exam candidates must register directly with CLARB at [www.clarb.org](http://www.clarb.org). The registration period for the examinations begins approximately 90 days prior to the administration of the computerized examination, and closes approximately two weeks prior to the exam administration. Tennessee candidates are required to indicate that they have been approved to sit for the examination by the Tennessee Board when registering for the examination. The Board furnishes CLARB a listing of all approved candidates who have been authorized to sit for the examination by May 1st for the August administration and December 1st for the March administration. Candidates may take the examination at any of the approved CLARB testing centers, and examination fees (scoring and administration fees) are paid at the testing center. There are three fees associated with taking the computerized sections of the LARE:

**Registration Fee of \$75:** The \$75.00 registration fee is waived for exam candidates who hold a current CLARB council record.

**Examination Fees:** which cover the cost to prepare and score the test section(s).

March/August 2005

Section A Fee: \$75

Section B Fee: \$110

Section D Fee: \$180

**Administration Fees:** The administration fee covers the cost of the appointment process and the examination administration at a computer testing center.

Section A only	\$ 55
Section B only	\$ 60
Section D only	\$ 70
Sections A, B and D	\$160 (a \$25 savings)

The graphic portions of the examination--Section C: Planning and Site Design, and Section E: Grading, Drainage and Storm Water

Management--will continue to be administered in Nashville, Tennessee by the Tennessee Board with examination fees paid directly to the Tennessee Board.

Listed below are upcoming dates related to the administration of the LARE examinations in 2005:

### Paper and pencil administration:

June 13, 2005	Section C
December 5, 2005	Section C
June 14, 2005	Section E
December 6, 2005	Section E

### Computer administration:

	AM	PM
March 7, 2005	Section A	Section B
March 8, 2005	Section D	Section A
March 9, 2005	Section B	Section D
August 8, 2005	Section A	Section B
August 9, 2005	Section D	Section A
August 10, 2005	Section B	Section D

The application deadline for new applicants is January 15 of each year.

Other exam fees are as follows:

	June 2005	December 2005
Section C	\$235	\$245
Section E	\$235	\$245

Exam Results			(6/04)	(8/04)	
	Total	Pass		Total	Pass
Section C	7	2	Section A	3	2
Section E	9	5	Section B	3	3
			Section D	3	2

## INTERIOR DESIGN

The Interior Design Qualification exam will be given on:

April 1-2, 2005

October 14-15, 2005

To obtain an application for the exam, call the National Council for Interior Design Qualification (NCIDQ) at 202-721-0220, or visit [www.ncidq.org](http://www.ncidq.org). The application deadline for the spring exam is December 1; the deadline for the fall exam is June 1. Be sure to read the article on changes to the NCIDQ exam education and experience requirements in this issue. ■

## Clarification...cont.

should have had plans and specifications prepared by registered design professionals for submittal to codes enforcement officials for review prior to construction, but weren't. Examples include educational/day care, assembly, multi-family housing, etc.

- Change in building occupancies—exempt occupancy (which did not require plans and specifications to be prepared by a registered design professional) to a non-exempt occupancy (one that requires plans and specifications to be prepared by registered design professionals). Examples include: one or two family housing to a residential home for the aged, business occupancy of less than 5,000 square feet in total gross area and less than three stories in height to an educational occupancy such as a day care, etc.

While part of the documentation to prepare the record drawings may come from interviews with the contractor or property owner or the contractor's "marked-up" drawings, contractor-supplied documents are not intended to be used as a substitute for the design documents that registered design professionals should prepare for submission to codes enforcement officials. In many situations such as those described above, a certificate of occupancy cannot be issued for buildings and building sites until design decisions are made and documents are prepared to bring the structure (and/or building site) into compliance. Recognition, representation, and acceptance of these design changes require the education and experience that only a design professional possesses. Because these documents (which include the record drawings) are considered to be working design documents, they must bear the seal, signature, and date of signature of the design professional that prepared or oversaw the preparation of the documents in question. ■



# NEW REGISTRANTS

The Board and staff congratulate the following registrants who passed their respective professional examinations and were registered between January 1, 2004, and June 30, 2004:

## Architects

(Architectural Registration Exam)

Scott Christian Black  
Raymond Martin Boaz, Jr.  
Douglas Brent Caywood  
Curtis Andrew Coleman  
Tracey Elaine Ford  
Jason Aric Freeland  
Caleb Michael Hartsfield  
Christopher Alan Missimer  
Charles Joseph Pickard  
Stephanie Dawn Pielich  
Sims Rogers Polk  
Steven Cosme Reutter  
Terri Lewis Stevens  
David J Stewart  
Trent David Sullivan

## Engineers

(Principles and Practice of Engineering Examinations)

Erin Lynn Anderson  
Christopher Brian Anglin  
Steven Edward Belcher  
Fred W Bowman  
Norman S Bowman  
David Clyde Bradford  
Daniel Lee Brooks  
Christie Dawn Brown  
Jonathan David Brown  
Karen Marie Brunelle  
James Christopher Buttram  
Aaron Lebron Campbell  
Charisman Renardo Campbell  
William Joseph Cedzich  
Henry A Clabaugh  
Jerome David Cole  
Jason B Cooke  
Glenn Chris Cox  
James Thomas Cox  
Heather Renee Crabtree  
Rickey Glyn Dearman  
Joseph Chauncy Deering  
Joshua Allen Dragan  
Lee Wallace Driver  
Johnathan David Duncan  
Majid Rj Farahani  
Stewart Kenneth Foshie  
Mark Wesley Garton  
Marty Edward Gibbs

William Frank Goans  
Joseph Markham Godfrey  
Michael Wayne Gordon  
William Booth Grantham  
Joshua Adam Hall  
Rockey Dean Hall  
Kyle Elliott Hazel  
Mark Steven Hilty  
Jeffrey Kevin Holt  
Annette Christine Hommel  
Jimmy Howsawkung  
David G Huskey  
David Byron Irby  
Jonathan Browning Jackson  
Anthony S Johnson  
Brian Alexander Joyner  
Thomas Dexter Justis  
Shawn Kenneth Keef  
Emily Anne Kelly  
Johnnie Haskell Leonard, III  
Jane-Ann Holly Luttrell  
Damario Duane Mack  
Joel Lee McDuffee  
Ryan Lewis McMaster  
Bruce Douglas Miller  
James Miller Moore  
Stephen Matthew Mosher  
Benjamin Alan Mowers  
Russell Joseph Murdock  
Patrick James O'Laughlin  
Daniel Keith Oliver  
Anant Ramesh Patel  
Jonathan David Pennington  
William Woodrow Reid, III  
Aaron Austin Renner  
Rodney Dean Runions  
Seth Wrenne Rye  
Darren John Sanders  
Sharon Marie Schutz  
Christopher Alan Sharp  
Melissa Lynn Shull  
Nathaniel Andrew Smith  
Amanda Rule Snowden  
Jason Travis Spears  
Kevin Ryan Sullivan  
Christopher Boris Triko  
John Robert Turner  
Francois Johannes Van Eck  
Bradley Greg Warren  
Sean Joseph Watson  
John Clayton Webb, III  
Jeremy James Westmoreland  
Brandon Clay Whitlock  
Timothy Alan Willis  
Stuart Kevin Wilson  
Ihab S Youssef

## Landscape Architects

(Landscape Architectural Registration Exam)

Stephen Wood Hackney  
Jeffrey A Rosiak  
Isaac Alexander Wantland

## Registered Interior Designers

(National Council for Interior Design Qualification Exam)

Lee Anne Chesnutt  
Angela Liann Henley  
Leigh Ann Hunsucker  
Andre Val Jon Keehn  
Kathryn Louise Parker-Gabriel  
Rebecca Katherine Tinsley  
Tatiana Zadora

## DID YOU KNOW?

The National Council of Architectural Registration Boards (NCARB) recently published the sixteenth title in its health, safety, and welfare-enriched monograph series—Building Envelope. Written by Randall Stout, FAIA, CCIDC, and Michael Garrison, SBSE, IALD, Building Envelope explores the outer walls and roofs that give shape to habitable structures. The monograph also looks at how the evolution of information technology has positively influenced the design and construction of building envelopes—so much so that architects regularly experiment with unusual materials, forms, and functions. The cost is \$135 (current NCARB Record holders) and \$215 (all other purchasers). Those successfully completing the quiz, which may now be taken online through the NCARB website, will earn 10 Professional Development Hours in health, safety and welfare. The Council's next monograph will explore the effects and mitigation of mold in building design. For more information, or to order a monograph, visit the NCARB website at [www.ncarb.org](http://www.ncarb.org). ■

## New/Reappointed Board Members

**James O. Hastings, Jr., AIA** (Nashville, Tennessee), was recently reappointed to serve as an architect member of the Board representing Middle Tennessee; he will serve until June 30, 2008. Mr. Hastings was originally appointed to serve out the remainder of the late Ed Johnson's term. Mr. Hastings has practiced architecture in Tennessee for 33 years, and he is licensed in 27 states. He is the founding principal of Hastings Architecture Associates, LLC, a 24-person architecture and interiors firm.

**John G. Love, II, ASLA** (Johnson City, Tennessee), was recently appointed to serve as the landscape architect member of the Board; he will serve until June 30, 2008. Mr. Love is the president and owner of John G. Love & Associates, P.A., a full-service landscape architectural firm. He is also a licensed real estate broker and part owner of John G. Love Real Estate,

Inc. Mr. Love received a B.S. degree in ornamental horticulture and landscape design from the University of Tennessee at Knoxville in 1980, and a Master of Landscape Architecture degree from Louisiana State University in 1984. He has been a registered landscape architect in Tennessee since 1987.

### **Dana Miller, ASID**

(Laverne, Tennessee), was recently appointed to serve as the interior design member of the Board; she will serve until June 30, 2008. Ms. Miller received her B.S. and M.S. degrees in interior design from Eastern Kentucky University, and she has been a registered interior designer since 1994. She is an assistant professor in the Interior Design Program at Middle Tennessee State University, where she has taught since 1992.

**Carlton L. Norris, PE** (Georgetown, Tennessee), was

recently appointed to serve as an associate engineer member of the Board representing East Tennessee; he will serve until June 30, 2008. Mr. Norris, a 1965 civil engineering graduate of the University of Tennessee at Knoxville, has been a registered professional engineer in Tennessee since 1973. He is Senior Vice President of Arcadis G&M, Inc., in Chattanooga, Tennessee.

### **William J. Stockard, PE**

(Nashville, Tennessee) was recently appointed to serve as an engineer member of the Board representing Middle Tennessee; he will serve until June 30, 2008. Mr. Stockard, a 1954 civil engineering graduate of Vanderbilt University, has been a registered professional engineer in Tennessee since 1961. He is retired from Hart Freeland Roberts, Inc., and now practices structural engineering as an individual. ■

### Tennessee Board of Architectural and Engineering Examiners

*B. Mark Freeman, AIA, Chair*  
*Robert Campbell, PE, Vice Chair*  
*Philip K. S. Lim, PE, Secretary*  
*Sharon Byrd, Public Member*  
*James O. Hastings, Jr., AIA*  
*John G. Love, II, ASLA*  
*Dana Miller, ASID*  
*David M. Schuermann, AIA*  
*William J. Stockard, PE*

#### Associate Board Members

*Dennis W. Henderson, PE*  
*Carlton L. Norris, PE*  
*Theodore E. Wynne, PE*

*Sandra S. Moore, Executive Director*  
*John Cothron, Administrative Manager*  
*Christy Allen, Legal Counsel*

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Department of Commerce and Insurance Authorization No. 335192, 10,000 copies, December 2004. This public document was promulgated at a cost of 43¢ per copy.

# Continuing Education Audits Revisited

By John Cothron, Administrative Manager

It's been over two years since our last newsletter article on continuing education, so I felt a need to revisit this subject. Specifically, I would like to revisit continuing education audit procedures.

Active registrants are required to certify the number of continuing education hours completed on the renewal of registration form. Registrants do not need to submit documentation of the hours claimed at the time of renewal; documentation should only be submitted if one is selected for audit. 5% of active registrants are randomly selected for audit of the continuing education hours claimed. In addition, registrants who use the six-month grace period to complete their hours and registrants who have been subjected to disciplinary action in Tennessee are also subject to audit. Approximately 300 registrants are audited each year, and the vast majority of these respond to our audit notice by submitting a summary log and attendance verification records within 30 days as requested.

However, we do have instances where a registrant does not supply the requested documentation, which is a violation of Rule 0120-5-10, and which may be deemed as a violation of Rule 0120-2-02 [Proper Conduct of Practice]. The Board takes compliance with continuing education requirements very seriously, and registrants have been disciplined for noncompliance. Since the beginning of the continuing education program in

1998, we have had two revocations, two suspensions, and one surrender of registration that resulted from failure to comply with continuing education audit requirements, one of whom actually admitted to misrepresenting the number of hours completed on the renewal of registration form. In addition, the Board has issued one letter of reprimand, one letter of warning, and two letters of caution to registrants who failed to comply in a timely manner. Here's the bottom line: if you misrepresent your continuing education hours and/or ignore audit notices from the Board you could be subject to disciplinary action.

Of all audits reviewed, approximately 6% are disapproved for various reasons, usually because the activities claimed are not acceptable types of continuing education as defined by Rule 0120-5-.06, or because of a lack of hours addressing health, safety and welfare (HSW) issues and technical competency or a lack of adequate documentation. The best ways to avoid disapproval are to be familiar with the requirements of the continuing education rules and to keep good records on all continuing education activities. These records may include a transcript or completion certificate or at least two of the following types of documentation: attendance verification records in the form of signed attendance receipts, paid receipts, a copy of a listing of participants signed by a person in responsible charge, or other documents supporting evidence of attendance (Rule 0120-5-.10[2][b]).

All registrants with deficiencies have 180 days after notification of same to either substantiate their original claim or earn other credit to meet the minimum requirements. Active registrants may still practice their profession during this period; the results of the audit do not affect one's registration status. If the audit is still not approved after additional review, registrants may be called before the continuing education committee for clarification and explanation.

This article is not intended to scare you, but to remind you of the seriousness of complying with the Board's continuing education requirements. A design

professional's technical knowledge and skills have a direct effect on the public's health, safety and welfare. It is therefore essential that design professionals continue to maintain and expand their knowledge and skills through continuing professional education throughout their careers. ■

## FREQUENTLY ASKED QUESTIONS

1. Does a set of plans sealed and signed by an architect, engineer, or landscape architect registered in another state other than Tennessee meet the requirements for submittal in Tennessee?

**No;** only design professionals currently holding active Tennessee registration may submit plans and specifications for review to building departments and local planning and engineering offices.

2. May a Tennessee registered design professional affix his seal and signature to plans and specifications prepared by an out-of-state design professional for submittal in Tennessee?

**No.** A Tennessee registered design professional may only apply his professional seal, signature, and date of signature to those plans and specifications that were prepared by him/her or under his/her responsible charge.

3. What is the Board's position on the use of prototypical plans?

The substantial portion of any project sealed by an architect, engineer, or landscape architect should be developed under his or her responsibility. The use of pre-drawn detail items or detail units by a registrant who has reviewed and accepted same, as long as the health, safety, and welfare of the public are protected, is allowed. ■





Tennessee Board of Architectural & Engineering Examiners  
Department of Commerce and Insurance  
500 James Robertson Parkway, Third Floor  
Nashville, TN 37243-1142

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